

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DENT HALL TURNER,

Defendant.

Case 3:19-cr-00221-FDW-DCK Document 31 Filed 12/17/21 Page 1 of 3


The Defendant has failed to respond to the Court's November 4 Order and the time to do so has expired. The Letter, (Doc. No. 28), is therefore recharacterized as a § 2255 Motion to Vacate and the Clerk will be instructed to open it in a new civil case.

The instant § 2255 Motion to Vacate is not verified (signed under penalty of perjury). See Rule 2(b)(5), 28 U.S.C. foll. § 2255; 28 U.S.C. § 1746. Defendant shall, within **fourteen (14) days** of this Order, verify the § 2255 Motion to Vacate, (Doc. No. 1), using the Verification of Motion to Vacate form supplied with this Order. Defendant is cautioned that failure to timely comply with this Order will likely result in dismissal of this case without further notice.

IT IS, THEREFORE, ORDERED that:

1. Defendant's *pro se* Letter (Doc. No. 28), is recharacterized as a § 2255 Motion to Vacate. The Clerk is instructed to open the Letter as a § 2255 Motion to Vacate in a new civil case.
2. Defendant shall, within **fourteen (14) days** of this Order, verify the Motion to Vacate using the Verification of Motion to Vacate form attached to this Order. Defendant is cautioned that failure to comply with this Order will likely result in this case's dismissal without further notice.
3. The Clerk is further instructed to mail a copy of the Motion to Vacate, this Order, and the attached Verification of Motion to Vacate form to Defendant.

Signed: December 16, 2021


Frank D. Whitney
United States District Judge

4

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Pursuant to Rule 2(b)(5) of the Rules Governing § 2255 Proceedings, I declare (or certify, verify, or state) under penalty of perjury that the § 2255 Motion to Vacate, (Doc. No. 1), which I failed to verify, is true and correct.

Executed on (Date)